

REMARKS

Claims 1-12, 14-38 and 40-54 are pending in the above-identified application. Claims 13 and 39 are cancelled.

In the Office Action of July 6, 2007, claims 1-12, 14-38 and 40-54 were subject to a final rejection.

With this Amendment, claims 1 and 27 were amended. Accordingly, claims 1-12, 14-38 and 40-54 remain at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-12, 14-38 and 40-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nafeh* (US 5,343,251) in view of *Takahashi et al.* (US 5,966,495).

Although the Applicants do not agree with the Examiner's rejection, to further prosecution, Applicants have amended independent claims 1 and 27 to further clarify Applicants' claimed subject matter. With respect to independent claim 1 as amended and with reference to the exemplary embodiment depicted in Figure 1A, Applicants claim a signal processing device having the following limitations:

a first signal section detecting means (202) for detecting a first signal section (202a) from an input signal (200a) including at least the first signal section and the remaining signal section on a time division basis;

a first signal extracting means (201) for extracting a first signal (201a) in the first signal section from the input signal in accordance with a result of the detection by the first signal section;

a recording means (205) for recording each signal extracted from the input signal by the first signal extracting means (201);

an index information extracting means (206) for extracting information from said first signal section to be used as a user-selectable index (206a) representing said recorded first signal, the information extracted from said first

signal section and associated with said first signal being one of a starting image, a cut point image, a starting sound or an ending sound; and
a display means (208) for displaying said index.

Independent claim 27 as amended has similar limitations to claim 1.

Applicants teach that the claim 1 signal processing device allows first signals (e.g., commercial messages) to be detected in and extracted from an input signal so that the first signals may be separated from the remaining signals (e.g., program segments) in the input signal based on respective characteristic values characterizing each first signal. *See* Application, at pgs. 3-4. Applicants further teach that the recording means stores each first signal in association with its respective characteristic values and the index information extracting means is adapted to extract information from each recorded first signal (and, in one implementation from the its respective characteristic values) to generate a user-selectable index, such as the starting image, the cut point image, the cut point video image, the starting sound and/or the ending sound of the respective recorded first signal or commercial message. *See* Application, at pgs. 3-4 & pg. 18 line 19 - pg. 20 line 14.

The Examiner acknowledges that *Nafeh* fails to disclose “*an index information extracting means for extracting information from said first signal section to be used as a user-selectable index representing said recorded first signal and display means for displaying said index*” as taught and claimed by the Applicants. However, the Examiner asserts that *Takahashi* teaches this missing limitation.

Although Applicants disagree that *Takahashi* teaches this missing limitation, Applicants have amended independent claims 1 and 27 to further prosecution and clarify the *index information extracting means* and structure for performing the function of “extracting

information from the first signal section to be used as a user-selectable index representing the recorded first signal.” Claims 1 and 27 as amended include the requirement that “the information extracted from said first signal section and associated with said first signal [is] one of a starting image, a cut point image, a starting sound or an ending sound.”

Contrary to Applicants’ claimed subject matter, *Takahashi* discloses a recording and reproducing apparatus that has an index generating circuit 54 for generating or deriving index information and an ID file 43 “in accordance with an instruction which is issued from a system controller 45 in accordance with an instruction to start or end recording which is inputted from the operating keys 46.” (See *Takahashi*, Col. 12 lines 21-28; Col. 14 lines 29-41; Figs. 8 & 12) As shown in Fig. 13 of *Takahashi* the index information corresponds to coded levels I to IV “indicative of ‘banner headline’, ‘head’ and ‘subhead’” of a recording stored in an AV data file 40. (See *Takahashi*, Col. 12 lines 47-65; Col. 14 lines 59-63; Figs. 8, 9, 12 & 13) *Takahashi* also discloses “generating a time file 53” to associate with each level index information code so that “if a data retrieval ... is performed by using the time file 53, it is possible to rapidly perform a retrieval operation based on an instant of time.” (See *Takahashi*, Col. 14 lines 42-51)

Thus, Applicants submit that *Takahashi*’s index generating circuit 54 does not correspond to the “*index information extracting means for extracting information from said first signal section to be used as a user-selectable index representing said recorded first signal*” where “*the information extracted from said first signal section and associated with said first signal [is] one of a starting image, a cut point image, a starting sound or an ending sound*” as claimed in claims 1 and 27 by Applicants.

Accordingly, Applicants submit that *Nafeh* and *Takahashi* (alone or in combination with each other or any other cited reference) fail to teach each limitation of claims 1 and 27 and respectfully request that the rejection of these claims be withdrawn.

Claims 2-12, 14-26, and 53 depend directly or indirectly from claim 1 and should be deemed allowable for at least the same reasons as claim 1. Claims 28-38, 40-52, and 54 depend from claim 27 and should be deemed allowable for at least the same reasons as claim 27. Accordingly, Applicants respectfully request that the rejection to the dependent claims 2-12, 14-26, 28-38, and 40-54 be withdrawn.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that claims 1-12, 14-38 and 40-54 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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